

## **MINUTES**

### **INDIANA BOARD OF CHIROPRACTIC EXAMINERS**

**OCTOBER 7, 2010**

#### **I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Dr. Dyer called the meeting to order at 9:00 a.m. in Conference Center Room 5 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-10-1-1.5(d).

**Board Members Present:**

David Dyer, D.C., Chairman  
Charles Cochran, D.C., Vice Chairman  
Marian Klaes-Lanham, D.C.  
David Davis, D.C.  
David Frischman, D.C.

**Board Members Absent:**

John Bernzott, D.C.

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency  
Liz Brown, Deputy Attorney General, Office of the Attorney General

#### **II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda.

COCHRAN/KLAES-LANHAM

Motion carried 5-0-0

#### **III. ADOPTION OF THE MINUTES FROM THE JULY 8, 2010 MEETING**

A motion was made and seconded to adopt the minutes from the July 8, 2010 meeting of the Board.

FRISCHMAN/DAVIS

Motion carried 5-0-0

#### **IV. APPEARANCES**

##### **A. PROBATIONARY**

There were no probationary appearances before the Board.

**B. RENEWAL**

**1. Andrew Paul Slater, D.C., License No. 08002097A**

Dr. Slater appeared before the Board regarding reinstatement of his chiropractic license which expired on July 1, 2006. Dr. Slater stated that he has been practicing in Portugal for the past five (5) years and that he sold the practice and moved back to Indiana. Due to the fact that his license was expired more than three (3) years, Dr. Slater was required to complete seventy-two (72) hours of continuing education with twenty-four hours in the area of risk management and/or public health and make a personal appearance before the Board. The Board would then determine if Dr. Slater would need to complete remediation and additional training as deemed appropriate given the lapse of time involved. He has completed all but four (4) hours of the continuing education in the area of risk management which will be completed on October 24<sup>th</sup>.

**Board Action:** A motion was made and seconded to grant the reinstatement of Dr. Slater's chiropractic license upon successful completion of the four hours of risk management continuing education and the Indiana jurisprudence examination.

COCHRAN/KLAES-LANHAM  
Motion carried 5-0-0

**C. APPLICATION**

There were no application appearances before the Board.

**V. ADMINISTRATIVE HEARING**

- 1. Casey Whitney Runnels, D.C., License No. 08002496A**  
Administrative Cause No. 2010 IBCE 0002  
Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Petitioner was present without counsel

Morgan Burton, Deputy Attorney General for the State of Indiana

**Participating Board Members:**

Dr. Dyer, Chairman (Hearing Officer)

Dr. Cochran, D.C., Chair

Dr. Klaes-Lanham, D.C.  
Dr. Davis, D.C.  
Dr. Frischman, D.C.

**Case Summary:** Petitioner is requesting withdrawal of probation from her chiropractic license. Petitioner's chiropractic license was placed on indefinite probation with terms and conditions following a positive response on her renewal application. Petitioner has completed all criminal court requirements and submitted sufficient documentation to the Board. She currently works at Johnson Chiropractic and has been practicing there since licensure in January 2010. She has had no further arrests, pending charges, convictions, terminations or discipline from any employer, or malpractice action. The State has no objection to the withdrawal of probation.

**Board action:** A motion was made and seconded to withdraw the probation of Dr. Runnel's chiropractic license.

COCHRAN/DAVIS  
Motion carried 5-0-0

#### **VI. SETTLEMENT AGREEMENTS**

There were no settlement agreements before the Board.

#### **VII. NOTICE OF PROPOSED DEFAULT**

There was no notice of proposed defaults before the Board.

#### **VIII. OLD/NEW BUSINESS**

There was no old/new business discussed by the Board.

#### **IX. DISCUSSION**

#### **X. APPLICATION REVIEW**

##### **A. Endorsement Applications**

There were no endorsement applications to review.

##### **B. Examination Applications**

There were no examination applications to review.

**C. Temporary Permits**

There were no temporary permits to review.

**D. Professional Corporation Applications**

There were no professional corporation applications to review.

**XI. PROBATIONARY REPORT**

**1. Brian Green, D.C., License No. 08001136A**  
Administrative Cause No. 2010 IBCE 0001

Dr. Green appeared with counsel, Mark Sullivan, on his own accord. The Board advised Dr. Green that he cannot modify his probation at this meeting because the proper steps have not been followed. He must submit a request in writing in order to have a hearing to modify the probation. Mr. Sullivan explained that Dr. Green was originally charged with driving under the influence and domestic battery but the domestic battery charge had been dismissed. Mr. Sullivan submitted court documents showing the dismissal. Based upon the terms of his probation, Dr. Green was required to provide copies of all dispositional court documents concerning the domestic battery and DUI charge. To date, Dr. Green has not complied with this term. The Board is in receipt of his report from Don Duis, Counselor at Life Recovery. Dr. Green requested the Board for an unrestricted license to practice chiropractic since Anthem will not credential him while his license is on probation. His criminal probation will not be completed until March of 2011.

**Board action:** A motion was made and seconded, to allow Dr. Green to request a hearing for modification of his probationary order prior to the withdrawal of his criminal probation.

COCHRAN/FRISCHMAN  
Motion carried 5-0-0

**XII. CONTINUING EDUCATION**

There was no continuing education to review.

**XIII. REPORTS**

**A. Indiana State Chiropractic Association**

Pat McGuffey introduced Lori Rebuck from the ISCA. Ms. Rebuck is the new Association Manager. Ms. McGuffey stated that the fall conference was being held October 22-24, 2010. She also stated she will be attending the State Association Conference in November 2010.

**B. International Chiropractic Association of Indiana**

There was no report given by the ICA.

**C. Consumer Complaints – Dr. Bernzott**

There was no report given regarding consumer complaints.

**D. Continuing Education – Dr. Klaes-Lanham, Dr. Frischman & Dr. Davis**

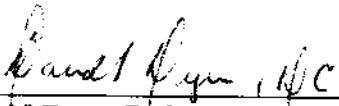
There was not report given regarding continuing education.

**XIV. ADJOURNMENT**


There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 10:45 a.m.

**Board action:** A motion was made and seconded to adjourn the Chiropractic Board meeting at 10:45 a.m.

FRISCHMAN/COCHRAN  
Motion carried 5-0-0

  
\_\_\_\_\_  
David Dyer, D.C. - Chairman

4-21-11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Charles Cochran, D.C. - Vice Chairman

4-21-11  
\_\_\_\_\_  
Date